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PTO/SB/05 (06/03)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	9031
First Inventor	Paul Albert Sagel
Assignee	The Procter & Gamble Company
Title	Tooth Whitening Strips
Express Mail Label No.	EU073150567US



APPLICATION ELEMENTS

See MPEP Chapter 600 concerning utility patent application contents.

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

03970 U.S. GOVERNMENT PRINTING OFFICE 2003 \$5.90/100

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Specification Total Pages [17]
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. Drawing(s) (35 USC §113) Total Sheets [4]
4. Oath or Declaration Total pages []
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR §1.63(d))
(for continuation/divisional with Box 17 complete)
 - i. **DELETION OF INVENTORS**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§1.63(d)(2) and 1.33(b).
5. Application Data Sheet. See 37 CFR §1.76
6. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. Assignment Papers (cover sheet & document(s))
9. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
10. English Translation Document *(if applicable)*
11. Information Disclosure Copies of IDS Statement (IDS)/PTO-1449/SB08 Citations
12. Preliminary Amendment
13. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
16. Other: Request for Early Publication of An Application (37 CFR § 1.18(d)).....

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR §1.76:

Continuation Divisional Continuation-in-part (CIP)

of prior application No. /

Prior application information: Examiner: _____

Group/Art Unit: _____

For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

[X] Customer Number

(Insert Customer No. here)

27752

Name (Print/Type)	James C. Vago	Registration No. (Attorney/Agent)	40,855
Signature		Date	September 10, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

(Revised for P&G use 7/17/2003)



FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**1134.00****Complete if Known**

Application Number	
Confirmation Number	
Filing Date	September 10 , 2003
First Named Inventor	Paul Albert Sagel
Examiner Name	
Group/Art Unit	

Attorney Docket No. **9031****METHOD OF PAYMENT (check one)**

1. [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
 Deposit Account Number **16-2480**
 Deposit Account Name **The Procter & Gamble Company**
 [X] Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

FEE CALCULATION (continued)**FEE CALCULATION****1. BASIC FILING FEE – Large Entity**

Code	(\$)	Fee Description	Fee Paid
1001	750	Utility filing fee	[750]
1002	330	Design filing fee	[]
1004	750	Reissue filing fee	[]
1005	160	Provisional filing fee	[]

SUBTOTAL (1) (\$)[750]**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE – Large Entity**

	Extra Claims	Fee from Below	Fee Paid
Total Claims	[18] - 20** =	[0] x	[] = [0]

Independent Claims [4] - 3** = [1] x [84] = [84]
Multiple Dependent [] = []

** or number previously paid, if greater; For Reissues, see below

Code	(\$)	Fee Description
1202	18	Claims in excess of 20
1201	84	Independent claims in excess of 3
1203	280	Multiple dependent claim, if not paid
1204	84	**Reissue independent claims over original patent
1205	18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL(2) (\$)[84]**3. ADDITIONAL FEES**

Code	(\$)	Fee Description	Fee Paid
1051	130	Surcharge-late filing fee or oath	[]
1052	50	Surcharge-late provisional filing fee or cover sheet	[]
1053	130	Non-English specification	[]
1812	2,520	For filing a request for <i>ex parte</i> reexamination	[]
1804	920*	Requesting publication of SIR prior to Examiner's action	[]
1805	1,840*	Requesting publication of SIR after Examiner's action	[]
1251	110	Extension for reply within 1 st month	[]
1252	410	Extension for reply within 2 nd month	[]
1253	930	Extension for reply within 3 rd month	[]
1254	1,450	Extension for reply within 4 th month	[]
1255	1,970	Extension for reply within 5 th month	[]
1401	320	Notice of Appeal	[]
1402	320	Filing a brief in support of an appeal	[]
1403	280	Request for oral hearing	[]
1451	1,510	Petition to institute a public use proceeding	[]
1452	110	Petition to revive - unavoidable	[]
1453	1,300	Petition to revive - unintentional	[]
1501	1,300	Utility issue fee (or reissue)	[]
1502	470	Design issue fee	[]
1460	130	Petitions to the Commissioner	[]
1807	50	Petitions related to provisional applications (37 C.F.R. 1.17(q))	[]
1806	180	Submission of Information Disclosure Statement	[]
1809	750	Filing a submission after final rejection (37 CFR § 1.129(a))	[]
1810	750	For each additional invention to be examined (37 CFR § 1.129(b))	[]
1801	750	Request for Continued Examination (RCE)	[]
1802	900	Request for expedited examination of a design application	[]
1454	1300	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	[]

Other fee (specify) Request for Early Publication (37 CFR § 1.18(d)) (\$)[300]
Other fee (specify) []

* Reduced by Basic Filing Fee Paid

SUBTOTAL(3) (\$)[300]**SUBMITTED BY**

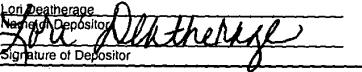
Name (Print/Type)	James C. Vago	Registration No.	40,855	Complete (if applicable)
Signature				Telephone (513) 622-4433
				Date September 10 , 2003

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lori Deatherage
Nestle USA Depositor

Signature of Depositor

P&G Case 9031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :

Paul Albert Sagel, et al. : Confirmation No.

Serial No. : Group Art Unit

Filed September , 2003 : Examiner

For Tooth Whitening Strips

REQUEST FOR EARLY PUBLICATION OF AN APPLICATION

UNDER 37 C.F.R. § 1.219

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.219, Applicants hereby request early publication of the above-described application. The Commissioner is authorized to charge deposit account no. 16-2480 for the publication fee set forth in 37 C.F.R. § 1.18(d). The Commissioner is also authorized to charge any other fees required by this paper to the same deposit account.

Respectfully submitted,

By

James C. Vago
Attorney or Agent for Appellants
Registration No. 40,855
(513) 622-4433

Customer No. 27752